

House Republican Press Release

June 19, 2006
Press Office: 860-240-8700

HOUSE REPUBLICANS SAY BYSIEWICZ GAVE FELLOW DEMOCRATS 'FREE PASS' TO GET ON BALLOT



HARTFORD – Republicans today filed a formal complaint with the State Elections Enforcement Commission against the Secretary of the State, charging that Susan Bysiewicz improperly allowed four fellow Democratic House candidates on the November ballot despite their missing deadlines to file paperwork.

Bysiewicz tried to block a Republican House candidate in 2004 from gaining ballot access under similar circumstances. State Rep. DebraLee Hovey was forced to go to court to successfully resolve the contested issue with Bysiewicz's office.

House Republican Leader Robert M. Ward and state Rep. Robert Farr contend that Bysiewicz improperly interpreted a judicial ruling in the Democrats' favor. "Our concern is that in making this determination herself, the Secretary of the State improperly has assumed a judicial function, and has usurped the court's authority in this matter," the two lawmakers wrote to Elections Enforcement Executive Director Jeffrey Garfield.

They said it was not their intent to bar the candidates if a court determines they should be allowed to go forward.

Farr, who is running against Attorney General Richard Blumenthal this fall, said Blumenthal gave Bysiewicz bad legal advice. "Clearly, the facts are not in dispute. The Democratic candidates failed to meet the established deadlines and they are being given a free pass to get on the ballot, unlike two years ago when it involved a Republican," Farr said.

Ward said that Bysiewicz should not be handing down judicial interpretations based on her reading of cases and that a judge should determine the outcome, just as Hovey was forced to go to court to get on the ballot two years ago. Hovey in 2004 and three of the Democrats this year filed the proper paperwork with their local town clerks. But all failed to file with the Secretary of the State within 14 days of their conventions as required under a state law passed in 2005.

A fourth Democratic candidate, Mary Mushinsky of Wallingford, failed to file any paperwork on time following the convention. Bysiewicz said that because Mushinsky did not have a major party opponent, the error was meaningless.

Farr was outraged that someone that never even filed a certificate at all would be considered a proper candidate when the statute is clear on the issue. "Failure to file the certificate with the Secretary of the State as the law states disqualifies that person to run as the endorsed candidate," Farr said.

"This is another example of the politicization of the Attorney General's office and Secretary of the State's office and it results in one set of laws for Republicans and another for Democrats," Farr said.

The other three Democrats are Rep. Terry Backer of Milford, challenger Daniel Mooney of Stratford and Rep. Claire Janowski of Vernon.

Bysiewicz concluded that there was no harm done to the electorate and that the flawed paper work was an "innocent mistake." Blumenthal said the Secretary of State can use "even handed discretion" in such cases to allow candidates on the ballot.

Ward and Farr said it was hard to understand how the decision was "even handed" when the record shows all four Democrats benefited and the lone Republican was penalized under the exact same circumstances.

In any event, the Republicans have asked Garfield to intervene and allow a court to decide.